

Hon. John Lewis Smith, Jr.  
U.S. District court for  
the District of Columbia  
Washington, D.C. 20001.

February 5, 1977

re: Ray (def) v. Tennessee. Cr. Indictment no. 16645;  
Shelby County, Tennessee. (1969).

Dear Sir:

I, the defendant in the above captioned indictment, learned for the first time through a newspaper article dated February 2, 1977, published in the Knoxville News-Sentinel that as a result of a suit by plaintiff, Mr. Bernard Lee, this court ordered the Federal Bureau of Investigation ("FBI") to turn over to the National Archives, and therein remain sealed for fifty (50) years, all tapes and transcripts gathered by the FBI in the wiretapping of Dr. Martin Luther King Jr.

While I am not familiar with the official transcript of Mr. Lee's suit I believe I have a substantial interest and claim in the case under Rule 19 (a) (2) (1): The claim being, and which I have litigated, and am in the process of further litigating, that the FBI and other unnamed agencies and, or, individuals acted in collusion to falsely imprison me for the murder of said, Dr. King; and that the aforementioned tapes & transcripts could furnish information and leads to substantiate said claim.

Further, I would also like to respectfully note that no notice was given me by plaintiffs under provision of Rule 19 (c) of the Federal Rules of Civil Procedure, thus intervention by me under Rule 24 (a) (2) was not possible.

In addition, any relief demanded by me would have been limited and in accordance with Rule 20, that is to say I am not concerned with anyones personal affairs, just material which could furnish information or leads as delineated by a 1975 ruling—a ruling which I don't have the citation exact date or number—by the U.S. court of appeals for the District of Columbia directed at the FBI.

Concluding, I don't believe it would be acceptable to any cr. defendant to let the FBI-JD determine ex-parte what would furnish information or leads. Therefore I will mail a cc copy of the foregoing to the below listed counsel (Jack Kerschaw, ESQ.) representing me.

EXHIBIT--B

cc: Hon. Henry Gonzales,  
Ch. Select Committee.  
cc: Jack Kerschaw, ESQ.  
FBI Indictment

Respectfully; James E. Ray #65477  
P.O. Box #73  
Petros, TN. 37249

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